



Entered on Docket
November 03, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Sustaining Objection Of USACM
Liquidating Trust To Proofs Of Claim
Based Upon Pension Plan Claims**

Hearing Date: October 18, 2011

Hearing Time: 1:30 p.m.

The Court having considered the "Objection Of USACM Liquidating Trust To Proofs of Claim Based On Pension Plan Claims" ("Pension Plan Claim") [DE 9091], (the "Objection"); at the hearing held on October 18, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; and good cause appearing:

IT IS ORDERED:

1. The Objection [DE 9091] is sustained; and

1 2. The claims listed on **Exhibit A** are disallowed in full.

2
3 PREPARED AND RESPECTFULLY SUBMITTED BY:

4
5 **LEWIS AND ROCA LLP**

6 By /s/ John Hinderaker (AZ #018024)

7 Robert M. Charles, Jr.

8 John Hinderaker (*pro hac vice*)

9 3993 Howard Hughes Parkway, Ste. 600

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13 *Attorneys for USACM Liquidating Trust*

1 LOCAL RULE 9021 CERTIFICATION

2 In accordance with LR 9021, counsel submitting this document certifies that the order
3 accurately reflects the court's ruling and that (check one):

4 _____ This Court has waived the requirement set forth in LR 9021(b)(1).

5 XXX No party appeared at the hearing or filed an objection to the motion.

6 _____ I have delivered a copy of this proposed order to all counsel who
7 appeared at the hearing, and any unrepresented parties who appeared
8 at the hearing, and each has approved or disapproved the order, or
9 failed to respond, as indicated below [list each party and whether the
party has approved, disapproved, or failed to respond to the
document]:

10 Counsel appearing: _____

11 _____ I certify that this is a case under Chapter 7 or 13, that I have served a
12 copy of this order with the motion pursuant to LR 9014(g), and that
13 no party has objected to the form or content of the order

14 U.S. Trustee: <u>Augie Landis</u>	
15 <input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
16 <input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
17 Other Party: _____	
18 <input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
19 <input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

21 Submitted by:
22 LEWIS AND ROCA LLP

23 By: /s/ John Hinderaker. (AZ #018024)
24 Attorneys for USACM Liquidating Trust

25
26 # # #

Exhibit A

<u>Claim Number</u>	<u>Date filed</u>	<u>Claimant's Name And address</u>	<u>Total Unresolved Amount</u>
10725-00499	10/18/06	LOOB, VICTORIA S 3813 Hillsdale Ct. Las Vegas, NV 89106-1163	-
10725-00535	10/19/06	HEFNER, STEPHEN R 10329 Evening Primrose Avenue Las Vegas, NV 89135-2801	-
10725-00631	10/26/06	ESTEVEZ, DOUGLAS A c/o Development Capital Funding PMB 394 2040 S. Alma School Rd., # 1 Chandler, AZ 85286-7076	-
10725-00744	11/08/06	HANTGES, TOM 1641 Starlight Canyon Ave. Las Vegas, NV 89183-6338	-
10725-00943	11/15/06	LEE, DEVIN 7493 Big Cottonwood Court Las Vegas, NV 89123	-